



Date: May 22, 1998
Case No.: 98-TLC-11

In the Matter of:

NEWSHAM HYBRIDS (USA), INC.,
Employer.

NOTICE OF DOCKETING AND PREHEARING ORDER

Employer has requested expedited review in this matter which arises under the temporary agricultural labor or services provision of the Immigration and Nationality Act, 8 U.S.C. § 1101(a)(15)(H)(ii)(a), and its implementing regulations, found at 20 C.F.R. Part 655. Accordingly, you are hereby notified that this matter has been received by this Office, docketed with the above-referenced case number, and assigned to Chief Judge John M. Vittone for a Decision. **ALL** further correspondence must refer to this case number and be mailed to the address listed above, attention Chief Judge John M. Vittone.

Matters arising under this Act are expedited. The regulations provide that a decision shall issue within five working days after receipt of the case file by this Office.¹ §655.112(a)(2). All briefs must be received by this Office and opposing counsel on or before the close of business on Wednesday May 27, 1998. Briefs may be filed by facsimile transmission at (202) 565-5325. Responses or reply briefs shall not be permitted.

Notice of Compliance: Parties are hereby notified that failure to comply with this Notice of Docketing or procedural requirements of the regulations may be grounds for sanctions such as refusal of evidence, the drawing of adverse inferences, or even the rendering of a decision against the recalcitrant party. See 29 C.F.R. §18.6(d)(2).

SO ORDERED.

JOHN M. VITTON
Chief Administrative Law Judge

¹ A certified copy of the ETA case file has not yet been received by this Office; however, the Solicitor represents that the case file will be mailed overnight today, Friday May 22, 1998. That being the case, the 5 days will begin on Tuesday, May 26, 1998.